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COMMITTEE ON THE PEACEFUL USES OF
THE SEA-BED AND THE OCEAN FLOOR
BEYOND THE LIMITS OF NATIONAL
JURISDICTION
SUB-COMMITTEE III

Union of Soviet Socialist Republics: draft articles for a
convention on general principles for the preservation of
the marine environment

Article 1

Scope of the Convention

The provisions of this Convention shall apply to the areas of the world ocean including the continental shelf but excluding States' territorial waters. States hereby assume the obligation to ensure that activities carried out under their jurisdiction to preserve the marine environment within their territorial waters do not cause damage to the environment of other States or of maritime zones beyond the limits of their territorial waters.

Article 2

Obligation to prevent pollution of the marine environment

States undertake to adopt all necessary measures, including legislation, in order to prevent pollution of the marine environment from any source, whether marine-based, land-based or shore-based, including rivers, estuaries, water-pipes, oil pipe-lines, the atmosphere, ships, aircraft, platforms and installations, by substances which may be harmful to human health or to marine organisms or interfere with legitimate uses of the world ocean.

Article 3

Liability for pollution of the marine environment

Each State shall be held liable for pollution causing damage to the marine environment whenever such pollution results from activities carried out by official organs of that State or by its physical and juridical persons.

Article 4

Co-operation among States

1. Every State shall co-operate with other States and with competent international organizations for the purpose of expanding scientific programmes and research on pollution of the marine environment. They shall encourage the mutual exchange of data and scientific information relating to the prevention of marine pollution.

2. States agree to co-operate with each other, on a global or regional basis, in developing a mutually acceptable methodology of rules and standards for the prevention of marine pollution.

Article 5

Mutual assistance between States

States agree to provide assistance to each other, when it is requested, for the elimination of the effects of major accidents, such as those involving supertankers, which may cause serious pollution of the marine environment. Such assistance will be given in the first instance to coastal developing States.

Article 6

Scientific and technical assistance for developing countries

Scientific and technical assistance in the prevention of pollution of the marine environment will be given to developing countries at their request through the transfer of the necessary scientific and technical information, the preparation of educational programmes and the training of experts and specialists.

Article 7

States' freedom of activity at sea

1. States agree that any rules and standards relating to the prevention of pollution of the marine environment adopted at the national and international levels should take into account the need to provide for and ensure on the high seas freedom of navigation and of fisheries and the freedom to conduct research and other normal activities of States.

2. The rules and standards adopted by States for the prevention of pollution of the marine environment should not infringe upon the immunity of vessels and aircraft which enjoy such immunity under international law.

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Article 8 .

Other conventions on preservation of the marine environment

The provisions of this Convention shall be without prejudice to the specific obligations assumed by States under special conventions and agreements concluded previously which relate to the prevention of pollution of the marine environment nor to agreements which may be concluded in furtherance of the general principles set forth in this Convention.
